

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CRYOVAC, INC.,

Plaintiff/Counter-Defendant.

VS.

PECHINEY PLASTIC PACKAGING, INC.

Defendant/Counter-Plaintiff.

Civil Action No. 04-1278

Hon. Kent. A. Jordan

NOTICE OF DEPOSITION OF
PECHINEY PLASTIC PACKAGING INC.

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, plaintiff/counter-defendant Cryovac, Inc. (“Cryovac”) will take the deposition of defendant/counter-plaintiff Pechiney Plastic Packaging, Inc. (“Pechiney”) upon oral examination of the witness(es) designated by Pechiney as the person(s) most competent to testify on its behalf concerning the categories listed on the attached Schedule A. The deposition shall be recorded by videotape and stenographic means on such date and at such location as may be agreed to by the parties.

In accordance with Rule 30(b)(6), Cryovac requests that Pechiney prepare its designee(s) to testify “as to matters known or reasonably available to” Pechiney regarding the subjects listed on attached Schedule A. Cryovac also requests that Pechiney provide Cryovac with written notice of at least five (5) business days before the deposition of the name and employment position of each person designated to testify on Pechiney’s behalf, identifying the matters set forth in Schedule A as to which each person will testify.

The deposition, before a Notary Public or other person authorized by law to administer oaths, will continue from day to day until completed with such adjournments as to time and place as may be necessary. You are invited to attend and to cross-examine the witness.

Respectfully submitted,

Dated: October 14, 2005



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SCHEDULE A

1. The rights and/or obligations of each of the parties under each of the eight representative agreements produced.
2. The negotiations and communications surrounding the representative agreements.
3. The course of dealing between the parties to the representative agreements.

CERTIFICATE OF SERVICE


I hereby certify that on October 14, 2005, I caused to be electronically filed, a true and correct copy of the foregoing document with the Clerk of Court using CM/ECF, which will send notification that such document is available for viewing and downloading to the following counsel of record:

N. Richard Powers, Esq.
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I further certify that on October 14, 2005, I caused a copy of the foregoing document to be served by hand delivery to the above-listed counsel of record, and on the following non-registered participants in the manner indicated:

VIA FEDERAL EXPRESS

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